

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JULIAN R. BLACKSHEAR,

Plaintiff,

v.

SHERIFF PINKIY, SUPERINTENDENT
SAX, SUPERINTENDENT SAVER, SRG.
KELLEN, SRG. CLAIG, SRG. DELAPAS,
SRG. STANISKI, SRG. HAROLD, SRG.
BUTKEE, C.O. HAYVER, C.O. KNAUS,
C.O. MOOLE, C.O. ESTRADA, C.O. DE LA
PALTIA, C.O. NEUMDENECK, C.O.
MAXWELL, C.O. DULLEY, C.O.
DUNHAM, C.O. ZIND, C.O. RIELY, C.O.
CALLSON, OLSEN, NURSE JODY, NURSE
JEN, WCJ MEDICAL DR. MD, SRG. SMITH,
NURSE HEATHER, C.O. MCGUIRE, C.O.
ESPINOZA, and C.O. PHILLIPS,

Defendants.

Case No. 21-CV-1156-JPS

ORDER

Plaintiff Julian R. Blackshear, an inmate confined at Waupun Correctional Institution, filed a pro se complaint under 42 U.S.C. § 1983 alleging that the defendants violated his constitutional rights. ECF No. 1. On August 11, 2022, the Court screened Plaintiff's complaint, found that it failed to state a claim, and granted Plaintiff leave to file an amended complaint on or before September 1, 2022. ECF No. 14. On October 25, 2022, the Court dismissed the case for Plaintiff's failure to file an amended complaint and entered judgment accordingly. ECF Nos. 17, 18. On October

26, 2022. Plaintiff filed a motion to withdraw the lawsuit with exhibits. ECF No. 19.

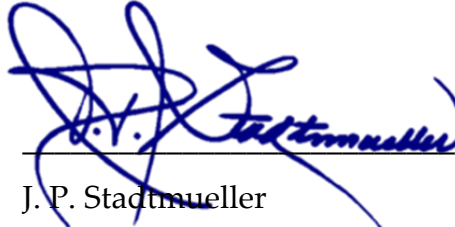
The Court will deny Plaintiff's motion. Plaintiff indicates that he wishes to withdraw his case and refile at a later time. Plaintiff sought to withdraw his case, however, only *after* the Court had dismissed it and entered judgment. Plaintiff had significant time to seek leave of the Court to withdraw his case or ask for an extension of time to file an amended case *before* the Court dismissed the case. He did not do so. As such, the Court will deny Plaintiff's motion to withdraw the lawsuit with exhibits.

Accordingly,

IT IS ORDERED that Plaintiff's motion to withdraw lawsuit with exhibits, ECF No. 19, be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin this 5th day of June, 2023.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J. P. Stadtmueller
U.S. District Judge